

**MEMO ENDORSED.**

**ROMERO**  
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April 16, 2025

**VIA ECF**

Hon. Ona T. Wang  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Hector De Jesus Cruz Reyes v. La Casa Del Mofongo 207 LLC, et al.*  
Docket No.: 22-cv-07956 (PAE) (OTW)

Dear Judge Wang:

This firm represents Plaintiff Hector De Jesus Cruz Reyes and ten opt-in Plaintiffs (collectively as “Plaintiffs”) against Defendants La Casa Del Mofongo 207 LLC and Avi Dishy in this matter, which alleges claims under the Fair Labor Standards Act and New York Labor Law (“NYLL”). Your Honor set a deadline for Plaintiffs to file a motion for leave to file an amended complaint for April 17, 2025. Plaintiffs write, with Defendants’ consent, to request an extension of their deadline file a motion for leave to file an amended complaint.

Specifically, the named Plaintiff intends to amend his pleading to add the ten opt-in Plaintiffs as named Plaintiffs and add an additional claim under the NYLL. Plaintiffs’ counsel has been in the process of gathering information from the named Plaintiff and ten opt-in Plaintiffs necessary to prepare an accurate amended complaint, as well as to respond to Defendants’ discovery requests. Due to the number of opt-in Plaintiffs, this process has required a substantial amount of time and effort to complete. Plaintiffs’ counsel has gathered the necessary information from most of the Plaintiffs. However, Plaintiffs’ counsel encountered some challenges scheduling meetings with certain opt-in Plaintiffs during this process. Plaintiffs’ counsel has now successfully contacted those remaining opt-in Plaintiffs to gather the required information and to schedule a meeting with one remaining opt-in Plaintiff to gather further information. Plaintiffs’ counsel requires additional time to speak with this final remaining opt-in Plaintiff, prepare the proposed amended complaint, and then to provide a proposed amended complaint to Defendants to determine whether they will consent to filing this amended complaint without the need for a formal motion.<sup>1</sup>

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<sup>1</sup> Defendants expressed they are willing to consider consenting to a proposed amended complaint. Therefore, providing Defendants with the opportunity to assess the proposed

Accordingly, Plaintiffs write, with Defendants' consent, to request a three-week extension of time until May 8, 2025 to submit their motion for leave to file an amended complaint. This is Plaintiffs' second request for an extension of this deadline.

Plaintiffs thank the Court for its kind consideration of this request.

Respectfully submitted,

/S/ David D. Barnhorn, Esq.  
DAVID D. BARNHORN, ESQ.

C: All Counsel of Record

Application **GRANTED**.

**SO ORDERED.**



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**Ona T. Wang**  
**U.S.M.J. 4/18/2025**

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amended complaint and consider consenting to Plaintiffs' filing of the proposed amended complaint is likely to conserve the resources of the parties and the Court by avoiding unnecessary motion practice.